



Washington State
Department of Health
Podiatric Medical Board
Meeting Minutes
July 19, 2007

The meeting of the Washington State Podiatric Medical Board was called to order by David Bernstein, DPM, Chair, at 9:15 a.m. The meeting was held at the Radisson Hotel Gateway, 18118 International Blvd, Seattle, Washington 98188.

Board Members

Participating:

David Bernstein, DPM, Chair
Stewart Brim, DPM, Vice Chair
James Porter, DPM
Rex Nilson, DPM
Amy Wong, Public Member

Staff Participating:

Blake Maresh, Executive Director
Arlene Robertson, Program Manager
Dori Jaffe, Assistant Attorney General
Erin Obenland, Disciplinary Program
Manager
Joe Mihelich, Administrative Staff
Peter Harris, Staff Attorney

Public Attendees:

Susan Scanlan, DPM, Executive Director,
Washington State Podiatric Medical
Association
Gail McGaffick, Lobbyist, Washington
State Podiatric Medical Association

OPEN SESSION

1. Call to Order
 - 1.1 Approval of Agenda
The agenda was approved with the addition of 4.4 Update on filing the CR 101 for the prescription orthotics rule and planned workshops
 - 1.2 Approval of Minutes - April 19, 2007
The April 19, 2007 minutes were approved as submitted.
 - 1.3 Approval of Conference Call Minutes - May 10, 2007
The May 10, 2007 conference call minutes were approved.
 - 1.4 Approval of Conference Call Minutes - June 7, 2007
The June 7, 2007 conference call minutes were approved.
 - 1.5 Approval of Conference Call Minutes - June 28, 2007
The June 28, 2007 conference call minutes were approved.

2. Disciplinary Issues
 - 2.1 Mandatory Reporting Rulemaking - Implementation of SHB 2974 which amended RCW 18.130.070.
 - 2.1.1 Current mandatory reporting rules - WAC 246-922-120, 130, 140, 150, 160, 170, 180, 190
ISSUE
The Board reviewed background information on SHB 2974 amending RCW 18.130.070. The Legislation authorized the Department of Health to establish rules for mandatory reporting of unprofessional conduct and impairment for all health care professions. Ms. McGaffick spoke regarding the history of the Legislation.

The proposed language was reviewed. The Board's current mandatory reporting rules were also provided for comparison.

ACTION

The Board indicated the proposed rules appeared overly broad. It was unclear how the reporting process would occur. The Board had significant concerns about the expense of financing additional investigations the reporting is likely to generate if the language is not specific. There is also concern about the economic aspects to individual practitioners if licensing costs are increased as a result.

The Board expressed concerns about having not received the draft materials in a timely manner. The Board had insufficient time to review and discuss the proposed rules. The Board expects to participate in a consultative role in the future as provided in the law. The Board requested it have an opportunity to review the draft rules prior to filing the CR102.

Staff will share the Board's comments with Ms. Gilbert and the Policy Office.

3. Program Manager Reports
3.1 Budget Report

The June budget report was provided. Since the end of the biennium had not been reconciled, the final 2007 biennium figure was not available.

3.2 Washington Physicians Health Program
May 2007 Statistical Information
3.2.1 2006 Semiannual Report Year End July-December

The Washington Physicians Health Program monthly statistical report and semiannual report were provided. No action was required.

3.3 Renewal - Delegation of Signature Authority

The Delegation of Signature Authority was renewed and signed by the Board Chair.

3.4 Establishing 2008 meeting dates

The following meeting dates were scheduled for 2008.
January 24
April 24 (Spokane)
July 17 (Tentative - Conference call if possible)
October 30

3.5 Publishing newsletter in conjunction with medical and osteopathic professions

3.5.1 Create advertising policy for newsletter
ISSUE

Bev Thomas, MQAC Program Manager, suggested the three medical professions consider publishing a combined newsletter. The newsletter would be similar to the one done by the Nursing Commission using a

company who publishes professional newsletters at no cost to the contracting entity.

Staff has identified several benefits to a combined newsletter:

- Common issues only need to be written one time
- Writing articles or obtaining information for topics in common, i.e., renewal information, can be shared by staff
- One contract can be developed for all of the professions
- Issues being addressed by each profession will be shared with the other medical professions

ACTION

The Board discussed advertising in this type of newsletter. The Board was not comfortable having advertising in a newsletter it produced. The Board raised concerns about the contents not focusing on podiatry issues if it included other professions.

The Board agreed it would be beneficial for licensees to have board information in the form a newsletter. The Board discussed mailing a one page letter each year to alert licensees of new laws, changes in processing renewals, etc. The letter could direct licensees to the Web page for more specific information. This way all licensees would receive updated information about the laws that regulate their practices. Staff will research the costs of doing a one page mailing to licensees.

4. Executive Director Reports

4.1 Department/Division Updates

4.1.1. Mr. Maresh reported the Board/Commission forum is being planned for September 25 & 26. The afternoon of the 25th is planned for the leadership presentations and will include an evening session, possibly with House and Senate representatives. The 26th would be a general session for all board/commission/committee members. Plans have not been finalized. Board members will be notified as soon as the agenda becomes available.

4.1.2. Mr. Maresh reported that reorganization plans are moving forward. It appears that some changes will be made by the end of the year. The first

consolidations will probably be licensing, intake, and compliance. This will likely coincide with implementation of the ILRS system.

4.1.3. The state auditors have provided a draft report of the performance audit to DOH. At this point DOH is conducting a technical review. The report is due to be released in mid-August. A public hearing will be held by JLARC within 30 days of the reports' release. Board members will be advised when the report is released.

4.2 Legislative Session Report/Updates

There was no new information to report relative to legislation.

4.3 Citizen Advocacy Center Annual Meeting in Seattle

Mr. Maresh provided information about the upcoming meeting being held in October. He encouraged anyone interested in attending to submit the registration form to staff. Since the conference is in state, board members who wish to attend would be approved.

4.4 Update on filing the CR 101 for the prescription orthotics rule and planned workshops

Dr. Bernstein reported he had held a telephonic discussion with the orthotists/prosthetists committee. The Committee was interested in the rules being as specific as possible so the differences between prescription and non-prescription devices is clear to the public. Dr. Bernstein indicated he would be attending the Chiropractic Commission meeting in the afternoon.

Program staff has concluded the CR 101 meetings with the DOH policy office. The CR 101 is being reviewed by the Secretary's office and will be filed by the first filing date in August.

5. (Open Session) Settlement Presentations (Presentations are contingent upon agreements being reached between the parties prior to a board meeting.)

There were no settlement presentations.

CLOSED SESSION

6. Investigative Authorizations

One report was reviewed and authorized for investigation.

7. Disciplinary Case Reviews - Reviewing Board Member Reports

<u>CASE NUMBER</u>	<u>CASE DISPOSITION</u>
2006-04-0003PO	Closed no cause for action; Risk minimal and unlikely to reoccur
2006-10-0005PO	Closed no cause for action; Care rendered was within the standard of care

8. Stipulation to Informal Disposition Presentations

Docket No. 07-05-A-1091PO - Peter Harris, Staff Attorney

Mr. Harris presented the Statement of Allegations and proposed Stipulation to Informal Disposition for the case. Dr. Porter, reviewing board member, did not participate in the decision.

The Respondent will be advised of the Board's decision by mail.

9. Compliance Reports

There were no compliance reports.

10. Open Case Report

The Board was provided with a list of open cases.

11. Application Review

No applications were reviewed.

The meeting adjourned at 1:35 pm.

Respectfully Submitted

Arlene A. Robertson
Program Manager

NOTE: PLEASE VISIT THE PODIATRIC MEDICAL BOARD'S WEB SITE FOR FUTURE AGENDAS AND MINUTES. WWW.DOH.WA.GOV, GO TO LICENSING AND CERTIFICATION AND YOU WILL FIND A LIST OF THE HEALTH PROFESSIONS, GO TO PODIATRIC PHYSICIANS FOR AGENDAS AND MINUTES.

